

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

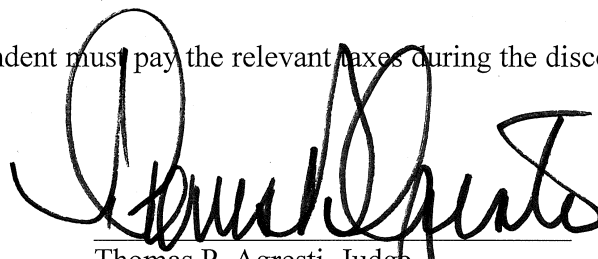
FILED  
5/21/19 1:23 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN RE:

KIM M. SHIELDS,	:	Case No. 17-21251-TPA
<i>Debtor.</i>	:	Chapter 13
KIM M. SHIELDS,	:	Related to Doc. No. 89, 102
<i>Movant,</i>	:	
v.	:	
WILMINGTON TRUST, N.A. AS	:	
TRUSTEE FOR MFRA TRUST,	:	
<i>Respondent.</i>	:	

**ORDER**

*AND NOW*, this 21<sup>st</sup> day of *May, 2019*, after hearing held on May 15, 2019 on the *Debtor's Objection to the Notice of Mortgage Payment Change Dated March 4, 2019* (Doc. 89) ("Objection") it is clear that the sole, remaining issue is the "timely" payment of taxes by the Respondent during the 2% discount period rather than it waiting to make payment at face amount following the discount period. After the Court's preliminary review of the matter, it appears under federal law the Respondent is only legally required to pay the taxes in a timely manner, i.e. at face amount, assuming funds are available, as such payments become due. *See 12 U.S.C. § 2605*. Therefore, it is hereby **ORDERED, ADJUDGED, and DECREED** that the *Objection* is **DENIED effective June 3, 2019** unless *on or before June 3, 2019* Counsel for the Debtor files a *brief* supporting her legal position that the Respondent must pay the relevant taxes during the discount period.

  
Thomas P. Agresti, Judge  
United States Bankruptcy Court

Case administrator to serve:

Debtor  
David Valencik, Esq.  
Michael Shavel, Esq.  
Ronda Winnecour, Esq.  
Mark Pecarchik  
745 Somerville Dr, Pittsburgh, PA 15243

## Imaged Certificate of Notice Page 2 of 2

United States Bankruptcy Court  
Western District of PennsylvaniaIn re:  
Kim M. Shields  
DebtorCase No. 17-21251-TPA  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: bsil  
Form ID: pdf900Page 1 of 1  
Total Noticed: 2

Date Rcvd: May 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 23, 2019.

db +Kim M. Shields, 1212 Harrow Hill Court, Coraopolis, PA 15108-9018  
+Mark Pecarchik, 745 Somerville Dr., Pittsburgh, PA 15243-1668Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 23, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 21, 2019 at the address(es) listed below:

David Z. Valencik on behalf of Debtor Kim M. Shields dvalencik@c-vlaw.com,  
cylaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com:ssimmons@c-vlaw.com;mpeduto@c-vlaw.com  
Donald R. Calaiaro on behalf of Debtor Kim M. Shields dcalaiaro@c-vlaw.com,  
cylaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com:ssimmons@c-vlaw.com;mpeduto@c-vlaw.com  
James Warmbrodt on behalf of Creditor Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor Fay Servicing as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 bkgroup@kmlawgroup.com  
Jill Manuel-Coughlin on behalf of Creditor WELLS FARGO BANK, N.A. jill@pkallc.com,  
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com;mary.raynor-paul@pkallc.com;amanda.rauer@pkallc.com  
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Michael J Shavel on behalf of Creditor Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 mshavel@hillwallack.com,  
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Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 9